

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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M&T Bank



Order Filed on November 27, 2024

by Clerk

U.S. Bankruptcy Court

District of New Jersey

In Re:

Juan Rosario Rodriguez,

Debtor

Case No.: 22-14842 JKS

Adv. No.:

Hearing Date:

Judge: John K. Sherwood

ORDER REINSTATING STAY

The relief set forth on the following pages, numbered two (2) through three (3) is, hereby
ORDERED.

DATED: November 27, 2024

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

(Page 2)

Debtor: Juan Rosario Rodriguez

Case No: 22-14842 JKS

Caption of Order: ORDER REINSTATING STAY

This matter having been brought before the Court by Attorney for Debtor, Robert C. Nisenson, Esquire appearing, upon a motion to reimpose the automatic stay as to real property known as 801 East 6Th Street, Plainfield, NJ, 07062, and this Court having considered the representations of attorneys for Debtor and KML Law Group, P.C., attorneys for Secured Creditor, M&T BANK, Denise Carlon appearing, and it appearing that notice of said motion was properly served upon all parties concerned, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that the automatic stay as to real property known as 801 East 6Th Street, Plainfield, NJ, 07062, is hereby REINSTATED; and

It is **ORDERED, ADJUDGED and DECREED** that as of November 8, 2024, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for regular mortgage payments due September 2024 through November 2024 for a total post-petition default of \$10,775.43 (3 @ \$3,602.60; less suspense \$32.37); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$7,100.00; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall cure remaining arrears of \$3,675.43 no later than November 30, 2024; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume in accordance with the Note as of December 1, 2024; and

It is further **ORDERED, ADJUDGED and DECREED** that in the event a final modification is not reached, Debtors shall be responsible for all pre- and post-petition arrears and Secured Creditor does not waive its rights to same; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond and that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$200.00 for attorneys' fees for the certification of default, and \$500.00 for the defense and resolution of this motion, totaling \$700.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that automatic stay as to the subject property is hereby reinstated.

In re:
Juan Rosario Rodriguez
Debtor

Case No. 22-14842-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 02, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 04, 2024:

Recip ID	Recipient Name and Address
db	+ Juan Rosario Rodriguez, 801 East 6th Street, 1st Floor, Plainfield, NJ 07062-1857

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 04, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 2, 2024 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Robert C. Nisenson	on behalf of Debtor Juan Rosario Rodriguez r.nisenson@rcn-law.com doreen@rcn-law.com;g2729@notify.cincompass.com;nisensonrr70983@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov
William E. Craig	on behalf of Creditor Santander Consumer USA Inc. wcraig@egalawfirm.com mortoncraigeef@gmail.com;alapinski@egalawfirm.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Dec 02, 2024

Form ID: pdf903

Total Noticed: 1

TOTAL: 5